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Attorney Docket No.: 080129-000100US

PTO FAX NO.: 571-273-8300

OFFICIAL COMMUNICATION

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that the following document in re Application of Jeremy S. Lee *et al.*, Application No. 10/061,979, filed January 31, 2002, for BIOLOGICALLY ACTIVE METAL-CONTAINING NUCLEIC ACIDS is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Documents Attached

1. Notice of Appeal

Number of pages being transmitted, including this page: 2

Dated: February 27, 2006

By: Steven W. Parmelee
Steven W. Parmelee, Reg. No. 31,990

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PTO/SB/31 (04-05)

NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number (Optional) 080129-000100US	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO via facsimile to: "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] at facsimile number: (571) 273-8300 on February 27, 2006		In re Application of Jeremy S. Lee et al.	
Signature <u><i>Jennifer M. Smolen</i></u>		Application Number 10/061,979	Filed January 31, 2002
Typed or printed name Jennifer M. Smolen		For BIOLOGICALLY ACTIVE METAL-CONTAINING NUCLEIC ACIDS	
		Art Unit 1636	Examiner M. Marvich

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) \$ 500

☒ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ 250

☐ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 20-1430. I have enclosed a duplicate copy of this sheet.

☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the:

☐ applicant/inventor.

☐ assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/95)

☒ attorney or agent of record.
Registration number 31,990

☐ attorney or agent acting under 37 CFR 1.34.
Registration number if acting under 37 CFR 1.34. _____

Steven W. Parmelee
 Signature
 Steven W. Parmelee
 Typed or printed name
 (206) 467-9600
 Telephone number
 February 27, 2006
 Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ *Total of _____ forms are submitted.

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